

केन्द्रीय सूचना आयोग
CENTRAL INFORMATION COMMISSION
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सूचना आयुक्त : दिव्य प्रकाश सिन्हा
INFORMATION COMMISSIONER : DIVYA PRAKASH SINHA

File No. : CIC/IARMY/A/2017/119158/SD

Date of Hearing :14/11/2017

Date of Decision :14/11/2017

Relevant facts emerging from the Appeal:

Appellant	:	Vishal Bakshy
Respondent	:	CPIO, RTI Cell, Addl DG MT (AE), G – 6, D – 1 Wing, Sena Bhawan, Gate No. – 04, IHQ of MoD(Army), New Delhi – 110011.
RTI application filed on	:	28/09/2016
PIO replied on	:	05/12/2016 & 16/02/2017
First appeal filed on	:	21/12/2016
First Appellate Authority order	:	03/02/2017
Second Appeal dated	:	15/03/2017

Information sought:

The Appellant sought information through 8 points regarding study report submitted to Military Secretary's Branch to examine the efficacy of Command Exit Model.

Grounds for the Second Appeal:

The CPIO has not provided the desired information on paras 4(a), (b), (f), (g) and (h) of the RTI Application.

Relevant Facts emerging during Hearing:

The following were present:-

Appellant: Not present.

Respondent: Lt Col R.N. Sharma, CPIO, Col R.S. Chandel, Col MS(Legal), Col Sunil Jaggi, IHQ of MoD(Army) and Lt Col Harpreet Singh, JD MS, O/o DGMS(Army) present in person.

CPIO submitted that information sought on paras 4(a) and (b) was denied under Section 8(1)(a) of the RTI Act as the study on CEM was an in-house study carried out by Army HQ which includes operational details of the organisation, disclosure of which will be prejudicial to national interests. Further, he submitted that para 4(f) was replied as per availability of information; information sought vide para 4(g) was not as per Section 2(f) of the RTI Act and information sought vide para 4(h) required collation and collection of data resulting in disproportionate diversion of resources of the public authority.

Decision

Appellant has not availed the opportunity to appear before the Commission to plead his case or contest CPIO's submissions.

Commission observes from the perusal of facts on record that information sought therein is largely outside the scope of Section 2(f) of the RTI Act as Appellant has merely sought for clarifications based on speculative statements; yet the CPIO has adequately replied on all queries while also providing the available information. Commission also upholds the denial of information on para 4(a) and (b) of the RTI Application. In view of this, no further action is warranted.

The appeal is disposed of accordingly.

(Divya Prakash Sinha)
Information Commissioner
File No. : CIC/IARMY/A/2017/119158/SD

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(H P Sen)

Dy. Registrar/Designated Officer

